

Short Title: Adjust GSC membership.

A BILL TO BE ENTITLED

AN ACT TO AMEND THE MEMBERSHIP OF THE GENERAL STATUTES
COMMISSION TO REPEAL THE APPOINTING AUTHORITY OF THE CHARLOTTE
SCHOOL OF LAW, WHICH HAS CLOSED, TO PROVIDE FOR THE TERMS OF
MEMBERS TO BEGIN ON SEPTEMBER 1 RATHER THAN JUNE 1, AND TO
HARMONIZE TWO PROVISIONS DEALING WITH VACANCIES AND HOLD-OVER
MEMBERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 164-14 reads as rewritten:

"§ 164-14. Membership; appointments; terms; vacancies.

(a) The Commission shall consist of ~~14~~13 members, who shall be appointed as follows:

- (1) One member, by the president of the North Carolina State Bar;
- (2) One member, by the General Statutes Commission;
- (3) One member, by the dean of the school of law of the University of North Carolina;
- (4) One member, by the dean of the school of law of Duke University;
- (5) One member, by the dean of the school of law of Wake Forest University;
- (6) One member, by the Speaker of the House of Representatives of each General Assembly from the membership of the House;
- (7) One member, by the President Pro Tempore of the Senate of each General Assembly from the membership of the Senate;
- (8) Two members, by the Governor;
- (9) One member, by the dean of the school of law of North Carolina Central University;

(10) One member by the president of the North Carolina Bar Association;

(11) One member, by the dean of the school of law of Campbell University.

(12) One member, by the dean of the school of law of Elon University.

~~(13) One member, by the dean of the Charlotte School of Law (NC), Inc.~~

~~(b) Appointments of original members of the Commission made by the president of the North Carolina State Bar, the president of the North Carolina Bar Association, and the deans of the schools of law of Duke University, the University of North Carolina, and Wake Forest University shall be for one year. Appointments of original members of the Commission made by the Speaker of the House of Representatives, the President of the Senate, and the Governor shall be for two years.~~

(c) ~~After the appointment of the original members of the Commission, appointments~~
Appointments by the president of the North Carolina State Bar, the General Statutes Commission, and the deans of the schools of law of North Carolina Central University, Duke University, Elon University, the University of North Carolina, and Wake Forest University shall be made in the even-numbered years, and appointments made by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the president of the North Carolina Bar Association, the ~~deans-dean~~ of the ~~School of Law~~ school of law of Campbell ~~University and the Charlotte School of Law (NC), Inc., University,~~ and the Governor shall be made in the odd-numbered years. ~~Such appointments~~Appointments shall be made for two-year terms beginning ~~June first~~ September 1 of the year when ~~such-the~~ appointments are to become effective and expiring ~~May 31~~ August 31 two years thereafter. [All such appointments shall be made not later than ~~May 31~~ August 31 of the year when ~~such-the~~ appointments are to become effective.] [The report to the secretary of the Commission under subsection (e) of this section is due not later than August 31 of the year when the appointment is due to become effective.]

(d) If a member of the Commission [resigns, dies, or ceases to be a member for any other reason,] [resigns or dies, or a legislator member appointed under subdivision (a)(6) or (a)(7) of this section ceases to be a member of the General Assembly,] a vacancy exists with respect to that appointment, and the [original appointing authority] [person who made the original appointment, or that person's successor,] shall appoint a new member to fill the unexpired term. ~~any appointment provided for by this section is not made prior to June first of the year when it should become effective, a vacancy shall exist with respect thereto, and the vacancy shall then be filled by appointment by the Governor. If any member of the Commission dies or resigns during the term for which he was appointed, his successor for the unexpired term shall be appointed by the person who made the original appointment, as provided in G.S. 164-14, or by the successor of such person; and if such vacancy is not filled within 30 days after the vacancy occurs, it shall then be filled by appointment by the Governor. In any case where an appointment authorized to be made by G.S. 164-14(c) has not been made on or before July 31 of the year in which it was due to be made, a vacancy shall exist with respect to that appointment and~~ The Governor may fill the appointment if the [original appointing authority] [that person] does not fill the vacancy within [four] months after receiving notice of the vacancy. If the Governor fails to make an appointment within [four] months after the Governor's office is notified of the vacancy by the secretary of the Commission, the General Statutes Commission at its next meeting ~~shall~~ may by majority vote fill the vacancy by appointment.

This subsection does not apply when a member is continuing to serve under subsection (f) of this section.

(e) All appointments shall be reported to the secretary of the Commission.

(f) Notwithstanding the expiration of the term of the appointment, the terms of members of the General Statutes Commission shall continue until the appointment of a successor has been made and reported to the secretary of the Commission."

SECTION 2. The repeal of G.S. 164-14(a)(13) by Section 1 of this act becomes effective August 31, 2019. The remainder of this act is effective when it becomes law. The terms of the current members of the General Statutes Commission are extended to August 31 of the year in which they are presently scheduled to expire.